REMARKS/ARGUMENTS

This Amendment is submitted in response to the Non-Final Office Action of December 23, 2004, which rejected all of the pending claims 1-36. In response to these rejections, Applicants have made certain amendments to independent claims 1, 9, 15, 23, and 29 to better clarify the invention(s) disclosed in the present Application. No new matter has been added.

I.   REJECTIONS UNDER 35 U.S.C. §103

The Examiner has rejected claims 1-3, 9, 15-17, 23 and 29-31 under 35 U.S.C. §103(a) as allegedly obvious in view of the combination of Grady, *et al.* and U.S. Published Application No. 2002/0133811 to Duftler, *et al.* (it is noted that the present Office Action initially states that the above claims are rejected under the combination of Grady and Davidson, however, the Applicants believe it is clear from the discussion in the Office Action that the Examiner actually meant to cite Duftler for this rejection). Thus, looking at the combination of Grady and Duftler, the Examiner has stated that Grady does not teach a language having, among other things, an object oriented class that is independently executable in a run-time environment, as recited in independent claims 1, 9, 15, 23 and 29. However, the Examiner now cites Duftler for this missing element. In response, Applicants respectfully assert that the combination of Duftler with Grady still does not teach or suggest all of the elements of the pending independent claims, and have amended such claims to further clarify this point.

Duftler teaches the use of XML in the Java context to simplify the descriptions of only Java-specific objects. Specifically, Duftler teaches a technique for employing the XML descriptive language as a notational language in order to more efficiently define/describe objects in "JavaBeans" that are used within the Java code. However, the language (and corresponding code) that is generated by the inventions recited in claims 1, 9, 15, 23 and 29 of the present

Application still differs from the code taught in Duftler. Specifically, Duftler merely teaches a

different and arguably more efficient means for creating JavaBeans to be executed in Java code

such that the JavaBeans do not have to be individually encoded, but such code is still not

independently executable in a run-time environment. Stated another way, the only executable

language discussed in Duftler is only Java, which Applicants have previously demonstrated is

not independently executable in any of a plurality of run-time environments. In fact, this

limitation of Java was one of the motivating factors leading Applicants to develop the recited

invention(s). In addition, to clarify this point, the Applicants have amended independent claims

1, 9, 15, 23 and 29 to recite that the claimed language creates an executable object oriented class

that is independently executable in any run-time of a plurality of environments, not just in a Java

environment. Thus, the present claims provide for a universally executable object oriented

language, as described in the present application, and is not limited to a single language

implementation.

Moreover, while Grady teaches the use of XML Schema mapping to the UML code

discussed therein, Duftler only discloses the use of straightforward XML to define JavaBeans so

that they do not have to be individually coded, and does not even suggest the use of any Schema

language in its approach. As a result, there is no motivation for one skilled in the art who is

employing a Schema language, such as in Grady and in the present application, to combine the

teachings in Duftler since Duftler merely teaches employing XML in a specific descriptive

function. As mentioned above, Duftler is teaching the use of XML to 'better' describe an object

when creating JavaBeans, which would not be done with a Schema code such as that employed

in Grady. There is nothing in Duftler that suggests abandoning the XML descriptive language

technique taught therein to try to create JavaBeans with a Schema language, and to do so would

likely render the intended purpose of Duftler useless. Moreover, there is nothing in Grady that

suggests abandoning the technique for Schema mapping into UML in order to create JavaBeans

as taught in Duftler. Thus, in addition to the combination of Grady and Duftler not teaching all

of the elements in claims 1, 9, 15, 23 and 29, there would be no motivation to combine these two

references in the first place. The mere fact that both references deal with innovations in related

technology fields is alone not enough to demonstrate a motivation for one skilled in the art to

combine the references.

For at least these reasons, independent claims 1, 9, 15, 23 and 29 are not obvious in view

of Grady and Duftler. Furthermore, the claims respectively depending from these independent

claims also incorporate these distinctions, and are therefore also not obvious in view of Grady

and Duftler. Accordingly, Applicants respectfully request that the Examiner withdraw the §103

rejections with respect to these claims.

The Examiner has also rejected dependent claims 8, 14, 22, 28, 36 under 35 U.S.C.

§103(a) as obvious in view of Grady and Duftler. In addition, the Examiner has rejected

dependent claims 4-7, 10-13, 18-21, 24-27 and 32-35 under 35 U.S.C. §103(a) as obvious over

Grady in view of Duftler and further in view of U.S. Patent 6,083,276 to Davidson, *et al.*

Applicants respectfully disagree that these dependent claims are obvious in view of these

combinations of references since these dependent claims depend respectively from the

independent claims set forth above. As discussed above, the combination of Grady and Duftler

does not teach or suggest all of the elements recited in independent claims 1, 9, 15, 23 and 29,

and Davidson does nothing to cure the deficiencies of this combination. As a result, neither the

combination of Grady and Duftler nor the combination of Grady, Duftler and Davidson teaches

or suggests all of the elements of independent claims 1, 9, 15, 23 and 29 from which these

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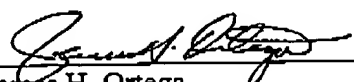
dependent claims depend. Thus, these dependent claims are also not obvious in view of the cited combinations of references, and Applicants respectfully request that the Examiner withdraw the §103(a) rejections with respect to these dependent claims as well.

II. CONCLUSION

Applicants submit that the pending claims are in condition for allowance and request a Notice of Allowance for pending claims 1-36. Because this Amendment is filed more than three months after the December 23, 2004, date of the pending Office Action, a Petition for Extension of Time for a three-month extension, along with the appropriate fee, is being filed with this Amendment. In the event, however, that additional fees are required to complete this filing, the Director is authorized to charge any deficiencies, or credit any overpayment, to Deposit Account No. 13-0480, referencing the Attorney Docket number specified herein. The Examiner is invited to contact the designated Attorney for Applicants, if needed, to discuss this Amendment or the Application in general.

Respectfully submitted,

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